

EXHIBIT 15

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

IN RE: JOHNSON &) MDL No.
) 16-2738 (MAS)(RLS)
JOHNSON TALCUM POWDER)
)
PRODUCTS MARKETING,)
)
SALES PRACTICES, AND)
)
PRODUCTS LIABILITY)
)
LITIGATION,)
)
-----)

Deposition of SHAWN LEVY, M.D., via
Zoom Videoconference, taken at Blood Hurst &
O'Reardon, 501 West Broadway, Suite 1490,
San Diego, California, commencing at
9:11 a.m., on Wednesday, May 8, 2024,
reported stenographically by Lisa Moskowitz,
California CSR 10816, Nevada CCR 991,
Washington CCR 21001437, Certified Realtime
Reporter, RPR, CLR, NCRA Realtime Systems
Administrator.

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1 Are you offering any opinions about
2 asbestos?

3 A. I'm not sure I understand your
4 question. Am I offering any opinions about
5 specifically asbestos in isolation or 11:19
6 asbestos in the context of this bio -- of
7 the biological plausibility?

8 Q. Either one.

9 A. I think my report contains an
10 opinion as to the totality of the components 11:19
11 within talc, of which asbestos is one. If
12 that aligns with your question, then yes,
13 I'm offering -- but I'm offering an opinion
14 on the totality of talc and its components.
15 I have not performed an analysis to 11:19
16 specifically break apart the relative
17 contributions of any components that may or
18 may not be present in talc.

19 Q. Are you offering an opinion that
20 Johnson's Baby Powder contained talc? 11:20

21 ATTORNEY O'DELL: Object to the
22 form.

23 BY ATTORNEY DAVIDSON:

24 Q. I'm sorry. That Johnson's Baby
25 Powder contained asbestos. Sorry. 11:20

1 ATTORNEY DAVIDSON: I added 2024
2 so you wouldn't tell me that it was
3 asked in 2019. I need to know what
4 the current opinions are.

5 ATTORNEY O'DELL: As you know, his 11:22
6 opinions are outlined in his report.

7 ATTORNEY DAVIDSON: Thanks.

8 THE WITNESS: Again, my report did
9 not attempt to separate any specific
10 components or subcomponents or 11:22
11 structures within. It was more to
12 consider the biological plausibility
13 of talc as a whole, the product as a
14 whole.

15 BY ATTORNEY DAVIDSON: 11:22

16 Q. Great. So you don't have separate
17 opinions about fragrances or heavy metals
18 either?

19 ATTORNEY O'DELL: Objection to the
20 form. Misstates his prior testimony. 11:23

21 THE WITNESS: I mean, I -- again,
22 I have opinions on both of those
23 subjects, but are we asking about the
24 content of the report? So within my
25 report, I did not specifically 11:23

1 differentiate the relative risk or
2 other components of any of those
3 things because, again, that wasn't the
4 request, nor did my literature review
5 provide a clear separation of those 11:23
6 subcomponents and then the testing of
7 them relative to cancer. Certainly my
8 opinions based on the review of other
9 materials, including the expert
10 reports of other witnesses, allow me 11:23
11 to generate an opinion in that area.

12 BY ATTORNEY DAVIDSON:

13 Q. What do you mean by you have
14 opinions that are not set forth in your
15 report? 11:24

16 ATTORNEY O'DELL: Objection.
17 That's not what he said.

18 ATTORNEY DAVIDSON: That is what
19 he said.

20 ATTORNEY O'DELL: No, it's not. 11:24

21 THE WITNESS: I said my report had
22 the request of focusing in specific
23 areas, which it does. But you're
24 asking -- you didn't ask if -- you
25 asked if I have an opinion. 11:24

1 deposition because it's three hours later
2 here. So maybe I did misunderstand you.
3 Why don't you explain what you were trying
4 to say.

5 A. You were asking about fragrance 11:27
6 specifically separate from heavy metals,
7 specifically separate from other components
8 of talc.

9 Q. Correct.

10 A. And I was trying to explain that I 11:27
11 had, in detail, considered that as the
12 totality of the product. In my report,
13 there are subreferences to other materials,
14 Dr. Crowley specifically, where there was
15 other opinions offered in more detail about 11:27
16 the components such as fragrances and their
17 potential to have carcinogenic compounds and
18 heavy metals and their known
19 carcinogenicity. But I was not attempting
20 to tease those out and offer a relative risk 11:27
21 or a relative contribution to those --
22 meaning prioritizing which is the most
23 significant to least significant -- because
24 that wasn't part of my analysis.

25 Q. So you mentioned them as some sort 11:28

1 of background, but your opinions are about
2 talc as a whole?

3 A. Yes, my opinions are -- were
4 focusing on the totality of the product. I
5 wasn't asked to offer an opinion breaking 11:28
6 those things apart.

7 Q. Okay. Great. That will shorten
8 this deposition.

9 ATTORNEY DAVIDSON: Leigh, I was
10 not trying to confuse anything. I was 11:28
11 absolutely certain he said not when
12 you heard him say was.

13 ATTORNEY O'DELL: Maybe the
14 vagaries of a Zoom deposition and not
15 being able to hear; so maybe that's 11:28
16 what caused the confusion.

17 ATTORNEY DAVIDSON: I would never
18 do something like that. I want that
19 to be clear.

20 Why don't we take -- it's been 11:29
21 about an hour. I can't remember if we
22 came back at 1:30. Why don't we take
23 ten minutes or five. Seven?

24 ATTORNEY O'DELL: Yeah, five,
25 seven minutes, that would be great. 11:29